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An Taisce Opening Statement to the Joint Oireachtas Committee on Transport Regarding the General Scheme of the Dublin Airport (Passenger Capacity) Bill 2026

An Taisce very much welcomes the opportunity to appear before the Committee to discuss the General Scheme of the Dublin Airport (Passenger Capacity) Bill 2026. An Taisce has multiple serious concerns regarding the Heads of Bill.

It is our view that the impact of aviation sector emissions on climate has not been given sufficient emphasis to date. We recognise the significant role of Dublin Airport for economic activity. However, we strongly believe that the potential for emissions increases arising from lifting the passenger cap demands serious scrutiny. Dublin Airport has consistently been listed as Ireland's single largest greenhouse gas emitting facility, responsible for between 2.8-2.92 million tonnes of CO_2 equivalent annually, the same as about 1.4 million cars.[1] [2]

The aviation sector may argue that mitigation of emissions is being addressed via the EU Emissions Trading Scheme (ETS) and the global Carbon Offsetting and Reduction Scheme for International Aviation (CORSIA). However, we have strong concerns about the sufficiency of these measures and do not accept that they are at all commensurate with the temperature and equity goals enshrined in the Paris Agreement. Reliance on such weak, market-based measures has been extensively criticised due to issues with free emissions allowances and perverse incentives from carbon offsetting.

Notably, developed economies such as Ireland have an express obligation to lead the way in global emissions reductions via the principle of common but differentiated responsibilities and respective capacities under the Paris Agreement. This is increasingly urgent given that Ireland assumes leadership of the EC Presidency this year and reaffirmed a commitment to enhanced EU emissions reduction targets and accelerated domestic decarbonisation efforts during the latest COP 29 and 30. However, the proposed disapplication of Section 15 of the Irish Climate Act, under Head 12 of the General Scheme, appears to be entirely contradictory to these decarbonisation aims. Ireland should instead be taking the lead in ambitious climate action by strengthening domestic decarbonisation measures and advocating for greater ambition in the EU Statement of Nationally Determined Contributions (NDCs) under the Paris Agreement, specifically including aviation.

Overall, the entirely unevidenced disapplication of climate obligations in various Bills being proposed by this administration is setting an alarming precedent for relinquishing climate action and planning controls to facilitate emissions-intensive facilities while we face a worsening climate emergency. It also increases the possibility of legal challenge.

Ultimately, in line with Ireland's climate commitments and obligations, the passenger cap should only be removed in a situation where alternative measures have *already* been put in place to reliably and demonstrably ensure that, at the very least, there is no *increase* in emissions as a result; and this condition should be expressly written into the current Bill before it proceeds further.

[1] Climate Trace Database. https://climatetrace.org/
[2] Airport Tracker Tool. International Council on Clean Transportation. https://airporttracker.org/

We note that the aviation sector places a lot of emphasis on Sustainable Aviation Fuels (SAFs) to mitigate emissions impact by 2050. However, the ability of these technologies to be scaled up and rapidly deployed within that timeframe, or to deliver the claimed emissions reductions, is highly uncertain. In general, SAFs are not climate neutral, and actual emissions vary significantly according to the type of SAF. Even in principle, SAFs do nothing to mitigate the *non*-CO2 climate effects of aviation. Moreover, despite industry promotion of the potential of SAFs, Europe's aviation sector has been actively lobbying *against* a post-2030 SAF mandate under consideration by the European Commission.[3]

Much of the focus to date has been on narrow economic aspects of the proposal. However, we need to take a holistic approach to assessing the economic risks and benefits, such as an independent, evidence-based analysis of outbound flights versus inbound tourism in terms of economic returns to the State. There are also very significant economic costs associated with the impacts of climate change and with non-compliance with emissions reduction obligations.

The lifting of the passenger cap will lead to additional flights and road traffic, with resultant increases in air and noise pollution, including increased NO_2, PM2.5 and PM10 levels. Air and noise pollution increase the risk of cardiovascular and respiratory problems, dementia, and neonatal and maternal impacts, so we recommend a Health Impact Assessment be carried out. Health impacts also have negative economic consequences that must be factored into the economic analysis.

Furthermore, the passenger cap was enacted due to concerns around airport access, road safety, and congestion, particularly on the already grid-locked M50. The Bill could exacerbate these issues, as well as creating others around airport infrastructure capacity. This requires full assessment.

With regard to planning, Head 5 of the General Scheme gives the Minister powers to revoke or amend planning conditions. The Explanatory Note states that this is related to the planning condition limiting passenger capacity, however, the actual language of Head 5 does not in fact limit the Minister's power to that particular condition – it appears the Minister could use the power to revoke or amend *any* planning condition attached to *any* permission that the Minister unilaterally deems to be causing serious harm to international transport connectivity or to the Irish economy. That is an extraordinarily broad power with few, if any, safeguards attached. In our view, this, is part of a highly problematic trend of centralising significant planning powers with a Minister while eliminating crucial independent checks and balances.

We also have serious concerns around other aspects of the proposed procedure, for example, the approach taken to environmental assessment and public participation. Public consultation only appears to be required if a full Environmental Impact Assessment, Appropriate Assessment or Water Framework Directive Assessment is being conducted. Consultation on the overall order under Head 5 and on screenings for the aforementioned assessments is not mandatory, raising multiple potential issues. Furthermore, Head 5 only requires that the Minister "have regard" to the outcome of the various environmental assessments in making an order to revoke or amend a planning condition. This could allow the Minister to disregard the conclusions of An Coimisiún's assessments, potentially raising serious issues of EU law compliance. We also have concerns regarding multiple other provisions, including the setting of timeframes, short consultation periods, the provisions for judicial review, etc. Overall, there are numerous issues and pitfalls that increase the risk of unlawful decisions and legal uncertainty.

[3] https://www.reuters.com/sustainability/european-airlines-take-aim-synthetic-green-jet-fuel-rules-2026-03-17/

We also strongly recommend that the General Scheme and the Bill itself be independently assessed against our national, EU and international legal obligations, including but certainly not limited to the Climate Act, EU climate law, the Paris Agreement, the Aarhus Convention, the Environmental Impact Assessment Directive, and other key EU environmental Directives. Such assessments should be made publicly available, as should all evidence, data and rationale that have informed the development of this proposed legislation.

We again thank the Committee for inviting us here today and look forward to the discussion.